

10/526675



REC

PTO

20 OCT 2005

PATENT  
Customer No. 22,852  
Attorney Docket No. 08048.0067

#  
5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re National Stage of International  
Application No. PCT/FR2003/002480 of:

**Valérie DE LA POTERIE et al.**

Application No.: 10/526,675

PCT Application Filed: August 6, 2003

National Stage Entry: March 4, 2005

For: MAKE-UP COMPOSITION FOR  
KERATIN FIBERS SUCH AS  
EYELASHES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached. Copies of the U.S. patents and patent publications are not enclosed.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

With respect to the non-English language documents, Applicants submit the following remarks:

1. **EP 0 549 494** - This document is believed to be related to U.S. Patent Nos. 5,756,635 and 6,258,916, listed on the enclosed form PTO/SB/08.
2. **EP 0 663 161** - This document is believed to be related to U.S. Patent No. 5,543,439, listed on the enclosed form PTO/SB/08.
3. **EP 0 667 146** - This document is believed to be related to U.S. Patent Nos. 6,120,781 and 6,132,742, listed on the enclosed form PTO/SB/08.
4. **EP 0 792 603** - This document is believed to be related to U.S. Patent No. 5,853,011, listed on the enclosed form PTO/SB/08.
5. **EP 0 847 752** - This document is believed to be related to U.S. Patent No. 6,649,173, listed on the enclosed form PTO/SB/08.
6. **EP 1 201 221** - This document is believed to be related to U.S. Patent Application Publication No. 2002/0098217 A1, listed on the enclosed form PTO/SB/08.
7. **FR 2 079 785** - This document is believed to be related to U.S. Patent No. 3,673,160, listed on the enclosed form PTO/SB/08.
8. **FR 2 232 303** - This document is believed to be related to U.S. Patent No. 3,937,811, listed on the enclosed form PTO/SB/08.
9. **FR 2 605 505** - This document is believed to be related to U.S. Patent No. 4,893,193, listed on the enclosed form PTO/SB/08.
10. **FR 2 701 198** - This document is believed to be related to U.S. Patent Nos. 6,099,183; 6,227,735; 6,296,411; 6,299,370; 6,299,371; 6,305,862; 6,309,123; 6,325,562; 6,331,086, and 6,345,923, listed in the enclosed form PTO/SB/08.

11. **FR 2 715 306** - This document is believed to be related to U.S. Patent Nos. 6,120,781 and 6,132,742, listed on the enclosed form PTO/SB/08.

12. **FR 2 726 467** - This document is believed to be related to U.S. Patent Nos. 5,800,816; 5,911,974; 5,965,112; 5,985,298; 6,274,152; and 6,464,964, and U.S. Patent Application Publication No. 2003/0007987, all listed on the enclosed form PTO/SB/08.

13. **FR 2 792 190** - An English language abstract of this document is submitted herewith.

14. **JP 10-139631** - An English language abstract of this document is submitted herewith.

15. **WO 91/12793** - This document is believed to be related to U.S. Patent No. 5,925,337, listed on the enclosed form PTO/SB/08.

16. **WO 00/57844** - This document is believed to be related to U.S. Patent No. 6,544,532, listed on the enclosed form PTO/SB/08.

17. **WO 2004/022010** - This document is believed to be related to U.S. Patent Application Publication Nos. 2004/0137020 A1 and 2004/0137021 A1, listed on the enclosed form PTO/SB/08.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law,

Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

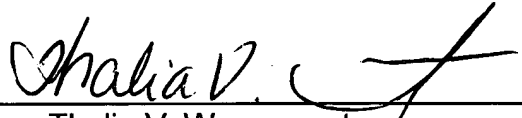
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 20, 2005

By:   
Thalia V. Warnement  
Reg. No. 39,064

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/526,675
Filing Date	August 6, 2003 (PCT) March 4, 2005 (National Stage)
First Named Inventor	Valérie DE LA POTERIE
Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	08048.0067

Sheet	1	of	3
-------	---	----	---

## **U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS**

Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1	US-3,673,160	06-27-1972	BUISSON et al.	
	2	US-3,802,841	04-09-1974	ROBIN	
	3	US-3,937,811	02-10-1976	PAPANTONIOU et al.	
	4	US-4,893,193	02-06-1990	GUERET	
	5	US-5,472,798	12-05-1995	KUMAZAWA	
	6	US-5,480,632	01-02-1996	ORR et al.	
	7	US-5,542,439	08-06-1996	GUERET	
	8	US-5,756,635	05-26-1998	MICHAUD et al.	
	9	US-5,783,176	07-21-1998	MEIRING et al.	
	10	US-5,800,816	09-01-1998	BRIEVA et al.	
	11	US-5,853,011	12-29-1998	GUERET	
	12	US-5,911,974	06-15-1999	BRIEVA et al.	
	13	US-5,925,337	07-20-1999	ARRAUDEAU et al.	
	14	US-5,965,112	10-12-1999	BRIEVA et al.	
	15	US-5,985,298	11-16-1999	BRIEVA et al.	
	16	US-6,099,183	08-08-2000	GUERET	
	17	US-6,120,781	09-19-2000	LE BRAS et al.	
	18	US-6,132,742	10-17-2000	LE BRAS et al.	
	19	US-6,227,735	05-08-2001	GUERET	
	20	US-6,258,916	07-10-2001	MICHAUD et al.	
	21	US-6,274,152	08-14-2001	BRIEVA et al.	
	22	US-6,296,411	10-02-2001	GUERET	
	23	US-6,299,370	10-09-2001	GUERET	
	24	US-6,299,371	10-09-2001	GUERET	
	25	US-6,305,862	10-23-2001	GUERET	
	26	US-6,309,123	10-30-2001	GUERET	
	27	US-6,325,562	12-04-2001	GUERET	
	28	US-6,331,986	12-18-2001	GUERET	
	29	US-6,345,923	02-12-2002	GUERET	
	30	US-6,383,502	05-07-2002	DUNSHEE et al.	
	31	US-6,464,964	10-15-2002	BRIEVA et al.	
	32	US-6,544,532	04-08-2003	JAGER-LEZER et al.	
	33	US-6,649,173	11-18-2003	ARNAUD et al.	

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	2	of	3	Application Number	10/526,675
-------	---	----	---	--------------------	------------

Filing Date	August 6, 2003 (PCT) March 4, 2005 (National Stage)
First Named Inventor	Valérie DE LA POTERIE
Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	08048.0067

## U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

34	US-2002/0098217 A1	07-25-2002	PIOT et al.	
35	US-2003/0007987 A1	01-09-2003	BRIEVA et al.	
36	US-2003/0147931 A1	08-07-2003	BRIEVA et al.	
37	US-2004/0137020 A1	07-15-2004	DE LA POTERIE et al.	
38	US-2004/0137021 A1	07-15-2004	DE LA POTERIE et al.	

**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.**

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	39	EP 0 549 494 A1	06-30-1993	MICHAUD et al.		No
	40	EP 0 663 161 B1	07-19-1995	GUERET		No
	41	EP 0 667 146 B1	08-16-1995	LE BRAS et al.		No
	42	EP 686 858 A2	12-13-1995	KUMAZAWA		-
	43	EP 0 792 603 A1	09-03-1997	GUERET		No
	44	EP 0 847 752 A1	06-17-1998	ARNAUD et al.		No
	45	EP 1 029 897 A	08-23-2000	NAKANISHI et al.		-
	46	EP 1 201 221 A2	05-02-2002	PIOT et al.		No
	47	EP 0 921 217 B1	12-03-2003	ASANO et al.		-
	48	FR 2 079 785	12-11-1971	BUISSON et al.		No
	49	FR 2 232 303	01-03-1975	PAPANTONIOU et al.		No
	50	FR 2 605 505	04-29-1988	GUERET		No
	51	FR 2 701 198	08-12-1994	GUERET		No
	52	FR 2 715 306	07-28-1995	LE BRAS et al.		No
	53	FR 2 726 467 A	05-10-1996	BRIEVA et al.		No
	54	FR 2 792 190	10-20-2000	CECCHI		Abstract
	55	JP 10 139631 A	05-26-1998	SHINIZU et al.		Abstract
	56	WO 91/12793 A	09-05-1991	ARRADEAU et al.		No
	57	WO 00/56280 A	09-28-2000	DUNSHEE et al.		-
	58	WO 00/57844	10-05-2000	JAGER-LEZER		No
	59	WO 2004/022010	03-18-2004	DE LA POTERIE et al.		No

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>9</sup>
	60	International Search Report for PCT/FR 03/02480, mailed 02-13-2004	

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Application Number	10/526,675
Filing Date	August 6, 2003 (PCT) March 4, 2005 (National Stage)
First Named Inventor	Valérie DE LA POTERIE
Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	08048.0067

Sheet	3	of	3
-------	---	----	---

**NON PATENT LITERATURE DOCUMENTS**

60	International Search Report for PCT/FR 03/02480, mailed 02-13-2004 (present case)	
61	International Search Report for PCT/FR 03/02479, mailed 02-20-2004	
62	PIGEON et al., <i>Die Angewandte Makromolekulare Chemie</i> 40/41:139-158 (1974)	Abstract
63	RANGARAJAN et al., <i>Macromolecules</i> 26:4640-4645 (1993)	
64	BOUDEVIN et al., <i>Polym. Bull.</i> 34:117-123 (1995)	
65	RICHTER et al., <i>Macromolecules</i> 30:1053-1068 (1997)	
66	HAMLEY et al., <i>Adv. Polym. Sci.</i> 148:113-137 (1999)	
67	International Standard ISO 11357-3; 1999-03-15	
68	International Standard ISO 11357-3; 1999-03-15 Amendment 1 2005-07-01	
69	Co-pending U.S. application no. 10/526,674, filed 03-04-2005, Inventors: V. de la Poterie et al.	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.